

ARTICLE 4 DEFINITIONS

ONLINE PORTAL

A website or online hub designed for the electronic submission and processing of zoning applications, requests, and associated or incidental processes authorized under this Ordinance.

SERVICER

A firm, company, or corporation providing services for a specific purpose.

6.33(A) SITE PLAN FEES

For any use which requires a site plan that affects an area of one (1) acre or less, the fee shall be \$100.00. For any use which requires a site plan that affects an area of one (1) acre or more, the fee shall be \$200.00. For any use which requires a site plan and is located on more than one (1) non-contiguous lot, an additional \$100 fee shall be assessed for each additional site. The fees as described in this section are for site plan review only.

6.35 FEES FOR PAYMENTS AND ONLINE APPLICATIONS

[NEW SECTION]

Where a credit card, debit card, or any other form of payment is accepted for any fees authorized under this Ordinance and a convenience charge, service fee, or any other such type of fee are assessed by the servicer of said form of payment, all such fees shall be assessed to the applicant or person or persons making request in addition to all other such fees assessed and authorized under this Ordinance.

Where a fee or convenience charge is assessed by a servicer for the use of submitting application or request through an online portal, all such fees shall be assessed to the applicant or person or persons making request in addition to all other such fees assessed and authorized under this Ordinance.

22(H) Fees. The following fees shall be charged for Zoning Permits and are based on the proposed cost of the erection, construction, or structural alteration of the building or structure:

CONSTRUCTION COSTS	FEE
\$ 0 to \$ 4,999	\$25.00
\$ 5,000 to \$ 14,999	\$50.00
\$ 15,000 to \$ 29,999	\$75.00
\$ 30,000 to \$ 49,999	\$100.00
\$ 50,000 to \$ 74,999	\$150.00
\$ 75,000 to \$ 99,999	\$200.00
\$100,000 to \$249,999	\$250.00
\$250,000 to \$499,999	\$500.00
\$500,000 to \$750,000	\$750.00
Each \$50,000 of additional cost above \$750,000	\$50.00

A Zoning Permit that has been issued may be renewed by submitting a fee equal to the permit fee assessed for the permit. Said renewal shall expire after twelve (12) months from the date of issue. No Zoning Permit issued shall be renewed more than once.

22(I) Administrative Fee. Any person, firm, or corporation not conforming to Section 22(A) above will be assessed a \$400.00 fee or a fee equal to the Zoning Permit fee, whichever is greater, in addition to the Zoning Permit fee.

24.3(C) Upon the filing with the Board of Adjustment of an appeal, an application for a Special Exception or a request for variance, the Board shall hold a public hearing as provided in this Article and the Board of Adjustment's Rules of Procedure. The Board may require the appellant or applicant to provide such information as is reasonably deemed necessary and may request the technical assistance and/or evaluation of a professional engineer or other expert person or agency, including the Iowa Department of Natural Resources.

The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time after it is submitted.

Each application for variance from a requirement of the Zoning Ordinance or appeal of an order, requirement, decision, or determination by the Zoning Administrator shall be accompanied by a payment of \$200.00 to cover the cost of the procedure. Each application requesting a special exception shall be accompanied by a payment of \$300.00 to cover the cost of the procedure. At the hearing, any party may appeal in person or by attorney. Any taxpayer or any officer, department, board or bureau of Cerro Gordo County, or any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment may present to a court of record a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board of Adjustment.

Upon the presentation of such petition, the court may allow a writ of certiorari directed to the Board of Adjustment to review such decision of the Board of Adjustment and shall prescribe therein the time within which a return thereto shall be made which shall be not less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may on application and upon notice to the Board of Adjustment and on due cause shown, grant a restraining order.

The Board of Adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from, and shall be verified. If upon the hearing, which shall be tried de novo, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take such evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact

and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. Costs shall not be allowed against the Board of Adjustment unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

26.1 GENERAL

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the Board of Supervisors may by resolution on its own action or by petition after recommendation by the Zoning Commission, after public hearings as provided herein, amend, supplement, or change the regulations, district boundaries, or classifications of property now or hereafter established by this Ordinance or amendments thereof.

26.2(G) Each application for an amendment or change to the District Zoning Map, except those initiated by the Zoning Commission, shall be accompanied by a payment of \$200.00. This is to cover the approximate costs of this procedure and under no conditions shall said sum or any part thereof be refunded for failure of said amendment or change to be enacted into law.